

BOARD OF TRUSTEES
EDWIN H. HUMPHREY
MARY MAKLEY WOLFF
KENDAL A. TRACY

FISCAL OFFICER
ERIC C. FERRY

ADMINISTRATOR
DAVID DUCKWORTH



ADMINISTRATION
248-3725
248-3730 (FAX)
COMMUNITY DEVELOPMENT
248-3731
SERVICE DEPARTMENT
248-3728
POLICE DEPARTMENT
248-3721
FIRE / EMS
248-3700
PARKS / RECREATION
248-3727

MIAMI TOWNSHIP

6101 MEIJER DRIVE – MILFORD, OH 45150-2189

RESOLUTION 2008 - 04

The Board of Trustees of Miami Township, Clermont County, Ohio met in regular session at the Miami Township Civic Center on January 15, 2008 with the following members present: Mary Makley Wolff and Ken Tracy.

MRS. WOLFF made a motion to adopt the following Resolution:

RESOLUTION AUTHORIZING THE ABATEMENT OF A ROAD OBSTRUCTION PURSUANT TO SECTION 5547.03 OF THE OHIO REVISED CODE

WHEREAS, a board of township trustees or township highway superintendent may determine that an object bounding any township road and located wholly or in part on the land belonging to the road interferes with snow or ice removal from, the maintenance of, or the proper grading, draining, or dragging of the road, causes the drifting of snow on the road, or in any other manner obstructs or endangers the public travel of the road. The board or superintendent then may declare the object to be a public nuisance and order the owner, agent, or occupant of the land on or bordering upon which the object is maintained to remove it within thirty days. If that person refuses or neglects to comply with the order, the board or superintendent shall have the object removed. The expense incurred in that removal shall be certified to the county auditor and entered on the tax duplicate against that land, to be collected in the same manner as other taxes; and

WHEREAS, objects that may be declared to be a public nuisance under R.C. Section 5547.03 include a fence, post, pole, athletic or recreational apparatus, rock, or berm, any vegetation, or any other object identified by the board or superintendent as interfering with or obstructing the township road; and

WHEREAS, the Miami Township Community Development Office has investigated the condition of the following property:

Address
635 Hobby Horse Lane

Auditor's Tax ID#
182513A104 & 182513A156

WHEREAS, the Miami Township Community Development Office has documented the existence of a roadway obstruction on this property and recommends to the Board of Trustees ("Board") that the existence of said obstruction constitutes a nuisance; and

WHEREAS, the owner(s) of record of the aforementioned property have not responded to requests made by the Miami Township Community Development Office to remove the obstruction.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Miami Township ("Board"), Clermont County, Ohio by authority of Section 5571.14 of the Ohio Revised Code, as follows:

SECTION 1. The roadway obstruction located at the above listed property is declared a nuisance.

SECTION 2. The Board declares the object to be a public nuisance and orders the owner, agent, or occupant of the land on or bordering upon which the object is maintained to remove it within thirty days. If that person refuses or neglects to comply with the order, the Board shall have the object removed. The expense incurred in that removal shall be certified to the county auditor and entered on the tax duplicate against that land, to be collected in the same manner as other taxes

SECTION 3. That this Board hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

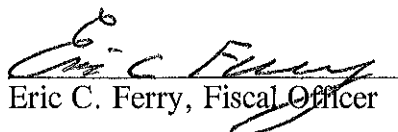
SECTION 4: This Resolution shall take effect at the earliest period allowed by law.

MR. TRACY seconded the motion to adopt the Resolution. On the roll call being called the vote resulted as follows:

Mrs. Wolff	AYE
Mr. Tracy	AYE

Resolution 2008-04 adopted January 15, 2008.

ATTEST:


Eric C. Ferry, Fiscal Officer

APPROVED AS TO FORM:


John C. Korfhagen,
Township Law Director

CERTIFICATION

I, Eric C. Ferry, Fiscal Officer of Miami Township, do hereby certify that the foregoing is taken and copied from the Record of the Proceedings of Miami Township; that the same has been compared by me with the Resolution of said Record and that it is a true and correct copy thereof.


Eric C. Ferry, Fiscal Officer